

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

Proposing rule making related to licensing sanctions and providing an opportunity for public comment

The Inspections and Appeals Department hereby proposes to amend Chapter 8, “Licensing Actions for Nonpayment of Child Support and Student Loan Default/Noncompliance with Agreement for Payment of Obligation,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 10A.104.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 272C.4(10).

Purpose and Summary

The proposed amendments implement changes made to Iowa Code chapter 272C.4(10) resulting from the enactment of 2019 Iowa Acts, Senate File 304. The legislation required the Department to adopt rules to prohibit the suspension or revocation of a license issued to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 18, 2020. Comments should be directed to:

Ashleigh Hackel
Iowa Department of Inspections and Appeals
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Email: ashleigh.hackel@dia.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend **481—Chapter 8**, title, as follows:

~~LICENSING ACTIONS~~ ACTION FOR NONPAYMENT OF CHILD SUPPORT
AND PROHIBITION OF LICENSING ACTION FOR STUDENT LOAN
DEFAULT/NONCOMPLIANCE
WITH AGREEMENT FOR PAYMENT OF OBLIGATION

ITEM 2. Amend **481—8.1(252J)**, implementation sentence, as follows:

~~These rules are~~ This rule is intended to implement Iowa Code chapter 252J.

ITEM 3. Rescind rule 481—8.2(261) and adopt the following **new** rule in lieu thereof:

481—8.2(272C) Licensing actions against individuals who default or are delinquent on student loan debt or on a related service obligation prohibited. The department shall not deny the issuance or renewal of a license or suspend or revoke a license to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

This rule is intended to implement Iowa Code section 272C.4.

ITEM 4. Rescind and reserve rule **481—8.3(261)**.

ITEM 5. Rescind **481—Chapter 8**, implementation sentence.